

REMARKS

I. Introduction

Claims 12 to 25 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Rejection of Claims 12 to 15, 18 to 20, 22, 24, and 25 Under 35 U.S.C. § 103(a)

Claims 12 to 15, 18 to 20, 22, 24, and 25 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 4,965,833 (“McGregor et al.”), U.S. Patent No. 3,755,625 (“Maston”), and U.S. Patent No. 6,424,720 (“Thomas et al.”). It is respectfully submitted that the combination of McGregor et al., Maston, and Thomas et al. does not render unpatentable the present claims for at least the following reasons.

The proposed combination of McGregor et al., Maston, and Thomas et al. does not disclose, or even suggest, all of the features recited in claims 12 to 15, 18 to 20, 22, 24 and 25. Claim 12, for example, relates to a communications device for transmitting acoustic signals in a motor vehicle, which includes a control unit that is assigned at least one control element configured to weight signal levels of at least one transmitter device to attenuate or amplify the signal level of each transmitted device in accordance with a respective weighting factor based on weight. As described in the Specification, for example, at page 2, lines 31 to 35, “it is also possible to weight the signal levels for selecting the active transmitting device, e.g., in order to compensate for the very loud or very soft talking of a vehicle occupant”

The Office Action admits that these features are not disclosed by McGregor et al. as modified by Maston, and instead, at page 4 of the Office Action, refers to Thomas et al. as allegedly disclosing “attenuating the signal level of each transmitter in accordance with a respective weighting factor.” The cited portions of Thomas et al., however, do not disclose, or even suggest, amplification of a signal level of each transmitted device in accordance with a respective weighting factor, as set forth in claim 12. Claim 12 provides for a control unit assigned at least one control element **configured to** attenuate **or amplify** the signal level of each transmitted device, in accordance with a respective weighting factor. The control element of claim 12 is therefore configured to either attenuate or amplify the signal level, depending of the requisite compensation.

The method and device of Thomas et al., however, merely reduces signal levels so as to “reduce acoustic echo and restore stereophonic sound.” Thomas et al. makes

no disclosure or suggestion of amplifying the signal level in accordance with a respective weighting factor. As such, the combination of McGregor et al., Maston, and Thomas et al. does not disclose, or even suggest, a control unit that is assigned at least one control element configured to weight signal levels of at least one transmitter device to attenuate or amplify the signal level of each transmitter device in accordance with a respective weighting factor based on a weight. Therefore, it is respectfully submitted that the combination of McGregor et al., Maston, and Thomas et al. does not render unpatentable claim 12.

As for claims 13 to 15, 18 to 20 and 24, which depend from claim 12, it is respectfully submitted that the combination of McGregor et al., Maston, and Thomas et al. does not render unpatentable these dependent claims for at least the reasons more fully set forth above with respect to claim 12.

Claim 22 includes features analogous to features included in claim 12. As such, it is respectfully submitted that the combination of McGregor et al., Maston, and Thomas et al. does not render unpatentable claim 22 for substantially the same reasons set forth above.

As for claim 25 which depends from claim 22, it is respectfully submitted that the combination of McGregor et al., Maston, and Thomas et al. does not render unpatentable this dependent claim for at least the reasons more fully set forth above with respect to claim 22.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

III. Rejection of Claim 17 Under 35 U.S.C. § 103(a)

Claim 17 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of McGregor et al., Maston, Thomas et al., and PCT International Patent Application Publication No. WO 99/049698 ("Schaaf"). It is respectfully submitted that the combination of McGregor et al., Maston, Thomas et al., and Schaaf does not render unpatentable the present claims for at least the following reasons.

As explained above, the combination of McGregor et al., Maston, and Thomas et al. does not disclose, or even suggest, all of the features of claim 12, from which claim 17 depends. Schaaf does not cure the critical deficiencies more fully set forth above with respect to the combination of McGregor et al., Maston, and Thomas et al. Thus, it is respectfully submitted that the combination of McGregor et al., Maston, Thomas et al., and Schaaf does not render unpatentable claim 17, which depends from claim 12.

Further, the Office Action, at page 6, refers to Schaaf as disclosing the “time delay elements configured as claimed” in claim 17. Claim 17 relates to the communications device according to claim 12, further comprising time-delay elements configured to compensate for differences in propagation time arranged between the transmitter devices and the receiver devices. The cited portions of Schaaf, however, merely describes the measurement of propagation delay, so as to determine the location of a microphone. As Schaaf does not disclose, or even suggest, time-delay elements configured to compensate for differences in propagation time, the combination of McGregor et al., Maston, Thomas et al. and Schaaf does not render unpatentable claim 17.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IV. Rejection of Claim 16 Under 35 U.S.C. § 103(a)

Claim 16 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of McGregor et al., Maston, Thomas et al., and U.S. Patent No. 4,449,238 (“Lee et al.”). It is respectfully submitted that the combination of McGregor et al., Maston, Thomas et al., and Lee et al. does not render unpatentable the present claims for at least the following reasons.

As explained above, the combination of McGregor et al., Maston, and Thomas et al. does not disclose, or even suggest, all of the features of claim 12, from which claim 16 depends. Lee et al. does not cure the critical deficiencies more fully set forth above with respect to the combination of McGregor et al., Maston, and Thomas et al. Thus, it is respectfully submitted that the combination of McGregor et al., Maston, Thomas et al., and Lee et al. does not render unpatentable claim 16, which depends from claim 12.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

V. Rejection of Claims 21 and 23 Under 35 U.S.C. § 103(a)

Claims 21 and 23 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of McGregor et al., Maston, Thomas et al., and Japanese Patent Publication No. 10-032898 (“Yoshioka”). It is respectfully submitted that the combination of McGregor et al., Maston, Thomas et al., and Yoshioka does not render unpatentable the present claims for at least the following reasons.

As explained above, the combination of McGregor et al., Maston, and Thomas et al. does not disclose, or even suggest, all of the features of claim 12, from which claims 21 and 23 depend. Yoshioka does not cure the critical deficiencies more fully set forth above with respect to the combination of McGregor et al., Maston, and Thomas et al. Thus, it is respectfully submitted that the combination of McGregor et al., Maston, Thomas et al., and Yoshioka does not render unpatentable claims 21 and 23, which depend from claim 12.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VI. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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By: /Clifford A. Ulrich/
Clifford A. Ulrich
Reg. No. 42,194

KENYON & KENYON LLP
One Broadway
New York, New York 10004
(212) 425-7200
CUSTOMER NO. 26646